

# Court of Appeals, State of Michigan

## ORDER

WixKix Properties LLC v TS Wixom Management Company LLC

Henry William Saad  
Presiding Judge

Docket No. 294915

Kathleen Jansen

LC No. 2009-102451-CZ

Pat M. Donofrio  
Judges

---

The Court orders that the motion to remand pursuant to MCR 7.211(C)(1) is GRANTED. The matter is remanded to the trial court to allow defendants-appellants to file a motion to set aside or amend the judgment. Proceedings on remand are limited to the issues as raised in the motion to remand.

Within 14 days of the Clerk's certification of this order, defendants-appellants shall file a motion in the trial court to initiate the remand proceedings. **The trial court is to hear and decide the matter within 56 days of the Clerk's certification of this order.**

This Court retains jurisdiction in the cause, and the time for proceeding with the appeal in this Court begins upon issuance of an order in the trial court that finally disposes of the remand proceedings. The time for proceeding with the appeal begins 14 days from the date of certification of this order if the motion to initiate the remand proceedings is not filed in the trial court within the 14-day period.

Defendants-appellants are to file with this Court a copy of any motion filed in the trial court within 14 days of the Clerk's certification of this order. Defendants-appellants must also file with the Clerk of this Court copies of all orders entered on remand within 14 days after entry. The trial court is to cause a transcript of any hearing on remand to be prepared and filed within 21 days after completion of the proceedings. Defendant-appellant is responsible for procuring the filing of the transcript of any remand hearing. MCR 7.210(B)(1).

Provided defendants-appellants file the motion to initiate the remand proceedings in the lower court within the time stated in this order, appellants' brief shall be due within 42 days after the entry of the trial court's order concluding the remand proceedings or within 42 days of the filing of the transcript of the remand hearing, whichever is later.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 18 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk